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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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SUITER- WEST-SWANTZ PC LLC 14301 FNB PARKWAY SUITE 220		LC	CHOW, JE	EFFREY J
OMAHA, NE			ART UNIT	PAPER NUMBER
			2628	

DATE MAILED: 09/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

		Ар	plication No.	Applicant(s)	
Office Action Commence		10	/786,936	BOGER, ROBER	RT A.
	Office Action Summary	Ex	aminer	Art Unit	
			frey J. Chow	2628	
Period fo	The MAILING DATE of this commun or Reply	ication appears	on the cover sheet wit	th the correspondence a	ddress
WHIC - Exter after - If NC - Failu Any	ORTENED STATUTORY PERIOD FOR CHEVER IS LONGER, FROM THE M nsions of time may be available under the provisions SIX (6) MONTHS from the mailing date of this comm of period for reply is specified above, the maximum state to reply within the set or extended period for reply reply received by the Office later than three months a ed patent term adjustment. See 37 CFR 1.704(b).	AILING DATE of 37 CFR 1.136(a). unication. tutory period will app will, by statute, cause	OF THIS COMMUNIC In no event, however, may a re- oly and will expire SIX (6) MON' e the application to become AB	CATION. eply be timely filed THS from the mailing date of this ANDONED (35 U.S.C. § 133).	
Status					
1)	Responsive to communication(s) file	d on 25 Februa	ary 2004.		
			on is non-final.		
3)	Since this application is in condition	for allowance e	except for formal matte	ers, prosecution as to th	ne merits is
	closed in accordance with the practic	ce under Ex pa	rte Quayle, 1935 C.D	. 11, 453 O.G. 213.	
Dispositi	ion of Claims				
4)🖂	Claim(s) 1-41 is/are pending in the a	pplication.			
	4a) Of the above claim(s) is/a	e withdrawn fr	om consideration.		
5)	Claim(s) is/are allowed.				
6)⊠	Claim(s) 1-41 is/are rejected.				
7)	Claim(s) is/are objected to.				
8)□	Claim(s) are subject to restrict	tion and/or ele	ction requirement.		
Applicati	on Papers				
9)[The specification is objected to by the	e Examiner.			
10)	The drawing(s) filed on is/are:	a) accepted	d or b) objected to I	by the Examiner.	•
	Applicant may not request that any object	ction to the draw	ing(s) be held in abeyan	ce. See 37 CFR 1.85(a).	
	Replacement drawing sheet(s) including	the correction is	required if the drawing((s) is objected to. See 37 (CFR 1.121(d).
11)	The oath or declaration is objected to	by the Examir	ner. Note the attached	Office Action or form F	PTO-152.
Priority under 35 U.S.C. § 119					
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 					
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 					
2) Notice 3) Information	t(s) The of References Cited (PTO-892) The of Draftsperson's Patent Drawing Review (Pout of Disclosure Statement(s) (PTO-1449 or the No(s)/Mail Date		Paper No(s	iummary (PTO-413) i)/Mail Date iformal Patent Application (P	TO-152)
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DETAILED ACTION

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Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., In re Berg, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); In re Goodman, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); In re Longi, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); In re Van Ornum, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); In re Vogel, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and In re Thorington, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 1 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,724,351 in view of Lan et al. (US 2003/0128970).

Claim 1 of this application is identical to claim 1 of US 6,724,351 except for the addition of the Advanced Television Committee System (ATSC) input.

Lan discloses the input of the system may accept all ATSC formats and where the system is shown accepting 1080i (interlaced) and 720p (progressive) formats. It would have been obvious for one of ordinary skill in the art at the time of the invention to modify the system set forth in US 6,724,351 to accept ATSC format. One would be motivated to do so because to standardized video inputs to current technology.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1 – 3, 8, 9, 14, 15, 24, 25, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Song et al. (US 6,046,721) in view of Iwaki (US 6,567,097) and Lan et al. (US 2003/0128970).

Applicant added Advanced Television Committee System (ATSC) input in the independent claims that is not supported in application number 09/954,889, thus the effective filing date is 25 February 2004.

Regarding claim 1, Song describes a display that is used to display both a non-interlaced computer signal and an interlaced television signal. The display automatically configures itself to the source of the signals applied to the display, column 9 line 47 to column 10 line 26. The display also responds to user input via buttons S101 and S102 of figure 8. Thus, the user commands the display to be in one mode or another by having either the computer send a display signal to the display or by pressing the switches. Figure 9A shows a flowchart that describes the display as selecting one of several VGA (non-interlaced) specifications as well as SVGA, PAL and NTSC (interlaced). Newly added claims 21 and 22 are fully taught by Song because at column 9 lines 47-54 Song describes in the alternative the PAL mode, the NTSC mode and the

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VGA mode and because switch 7 when switched to interlaced signal does not let the noninterlaced computer signal to pass.

The following detailed analysis of the claims illustrates how Song reads on applicants claimed invention.

Pending claim 1	Song et al., U.S. Patent No. 6,046,721
A display apparatus for use with a host computer system, the display apparatus comprising circuitry allowing an interlaced mode of operation and a noninterlaced mode of operation, the display apparatus comprising:	Song describes a display that is used to display both a non-interlaced computer signal and an interlaced television signal. The display automatically configures itself to the source of the signals applied to the display, column 9 line 47 to column 10 line 26.
a screen,	CRT 4
said screen operable to display visually detectable output from the host computer system when operating in the noninterlaced mode of operation and	Column 1 lines 5-8 and column 9 line 54.
operable to display a television compatible signal when operating in the interlaced mode of operation;	Column 1 lines 5-8 and column 9 line 53.
a communication channel between said host computer system and said display apparatus,	The VGAFP line (figure 1) is a communication channel between the computer and the display apparatus.
the communication channel for transmitting commands from said host computer system to said display apparatus; and	Column 9 lines 47-67 and figure 9A describes determining the frequency and polarity of the horizontal and vertical sync signals (VGAFP and TVFP) from the computer and TV source. Clearly when VGAFP is present the computer is communicating the presence of a display signal to the monitor (see circuit of figure 1) and thus commanding the monitor to synchronize to the computer display signal.

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a microprocessor for receiving commands from said host computer system,	MCU 9 performs the program illustrated in figure 9A and described at column 9 lines 47-67.
said microprocessor comprising control logic for switching said display apparatus between said interlaced and noninterlaced modes of operation in response to said commands.	

Song did not expressly disclose microprocessor comprising control logic for switching said display apparatus between said interlaced and noninterlaced modes of operation in response to said commands, but Song did disclose MCU 9 and the program of figure 9A switches the display from displaying television display signals (interlaced) and computer display signals (non interlaced). Iwaki discloses a MUX that switches between interlace and non-interlace modes (Figure 1). It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Song's system to have a multiplexer that receives a command to switch between interlace and non-interlace modes. One would be motivated to do so because this allows the correct modes for the video to be displayed. Song also did not expressly disclose ATSC inputs. Lan discloses the input of the system may accept all ATSC formats and where the system is shown accepting 1080i (interlaced) and 720p (progressive) formats. It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Song's and Iwaki's system to accept ATSC format. One would be motivated to do so because to standardized video inputs to current technology.

Claim 2:

Pending claim 2	Song et al., U.S. Patent No. 6,046,721
A display apparatus of claim 1,	See the above analysis of claim 1.

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wherein said interlaced mode of operation	Figure 9A shows a NTSC system control
supports NTSC input.	MOD5 decision block and column 9 lines 53-
	54 describes an NTSC mode.

Claim 3:

Pending claim 3	Song et al., U.S. Patent No. 6,046,721
A display apparatus of claim 1,	See the above analysis of claim 1.
wherein said noninterlaced mode of operation supports at least one of a computer graphics mode input, VGA input and SVGA input.	Column 3 line 20 describes VGA.

Claim 14:

Pending claim 14	Song et al., U.S. Patent No. 6,046,721
A computer system comprising:	Figure 1
a host computer system including:	Computer C
a processor;	Computers have processors which allow the computer to compute.
a memory coupled to said processor;	Computers have memory which assist the computer to compute.
a video controller coupled to said processor and said memory; and	Computer C outputs VGA, thus, inherently it has a video controller coupled to the processor and memory.
a display apparatus coupled to a video controller of the host computer system,	The remainder of figure 1 not with computer C and Television TV is the display apparatus.
the display apparatus comprising circuitry allowing an interlaced mode of operation and a noninterlaced mode of operation, the display apparatus comprising:	Song describes a display that is used to display both a non-interlaced computer signal and an interlaced television signal. The display automatically configures itself to the source of the signals applied to the display, column 9 line 47 to column 10 line 26.
a screen,	CRT 4

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said screen operable to display visually detectable output from the host computer system when operating in the noninterlaced mode of operation and operable to display a television compatible signal when operating in the interlaced mode of operation;	Column 1 lines 5-8 and column 9 line 54.
a communication channel between said host computer system and said display apparatus,	The VGAFP line (figure 1) is a communication channel between the computer and the display apparatus.
the communication channel for transmitting commands from said host computer system to said display apparatus; and	Column 9 lines 47-67 and figure 9A describes determining the frequency and polarity of the horizontal and vertical sync signals (VGAFP and TVFP) from the computer and TV source. Clearly when VGAFP is present the computer is communicating the presence of a display signal to the monitor (see circuit of figure 1) and thus commanding the monitor to synchronize to the computer display signal.
a microprocessor for receiving commands from said host computer system,	MCU 9 performs the program illustrated in figure 9A and described at column 9 lines 47-67.
said microprocessor comprising control logic for switching said display apparatus between said interlaced and noninterlaced modes of operation in response to said commands.	

Song did not expressly disclose microprocessor comprising control logic for switching said display apparatus between said interlaced and noninterlaced modes of operation in response to said commands, but Song did disclose MCU 9 and the program of figure 9A switches the display from displaying television display signals (interlaced) and computer display signals (non interlaced). Iwaki discloses a MUX that switches between interlace and non-interlace modes (Figure 1). It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Song's system to have a multiplexer that receives a command to switch

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between interlace and non-interlace modes. One would be motivated to do so because this allows the correct modes for the video to be displayed. Song also did not expressly disclose overlay windows. Song also did not expressly disclose ATSC inputs. Lan discloses the input of the system may accept all ATSC formats and where the system is shown accepting 1080i (interlaced) and 720p (progressive) formats. It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Song's and Iwaki's system to accept ATSC format. One would be motivated to do so because to standardized video inputs to current technology.

Claim 15:

Pending claim 15	Song et al., U.S. Patent No. 6,046,721
A computer system of claim 14,	
Wherein said noninterlaced mode of operation supports at least one of computer graphics mode input, VGA input and SVGA input.	Column 3 line 20 describes VGA.

Regarding claims 2 and 3, claims 2 and 3 are fully taught by Song because at column 9 lines 47-54 Song describes in the alternative the PAL mode, the NTSC mode and the VGA mode and because switch 7, when switched to interlaced signal, does not let the noninterlaced computer signal to pass.

Regarding claim 9, Song teaches a display apparatus of claim 1, wherein the command is a display mode change command (since the horizontal and vertical sync signals control whether the TV monitor is in the interlaced mode or the non interlaced mode they are effectively a display mode change command).

Regarding claim 28, Song teaches a display apparatus of claim 28, wherein the command is sent over a data port (since the claim does not define a data port then any port that conveys the display mode change command is a data port).

Regarding claim 8, claim 8 adds to claim 1 wherein said interlaced mode of operation supports Sequential a Memoire (SECAM) input. This TV standard is one of two standards used in Europe the other being PAL. Song teaches setting the monitor into the PAL mode but does not explicitly teach setting the monitor into the SECAM mode. Since the SECAM standard is old (1967) and well known (used in France and Eastern Europe) it would have been obvious to one of ordinary skill in the at the time of applicants invention to select in Song's system the SECAM standard since Song selects another European standard the PAL standard (western Europe and Australia) in addition to the NTSC standard and computer standards, thus, allowing the modified system to display video from a greater number of regions of the world.

Regarding claim 24 and 25, claims 24 and 25 are similar in scope as to claims 2 and 9, thus the rejections for claims 2 and 9 hereinabove is applicable to claims 24 and 25.

Claims 4-7, 16-19, 31-34, and 37-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Song et al. (US 6,046,721) in view of Iwaki (US 6,567,097) and Lan et al. (US 2003/0128970) and York (US 5,850,340).

Regarding claims 4 and 16, claim 4 adds to claim 1 wherein the microprocessor receives at least one command from said host computer system, the command suitable for controlling a television function of the display apparatus from the host computer system, wherein the

television function includes at least one of changing a channel, volume adjustment and picture adjustment. Claim 16 adds the same limitations to claim 14.

Song does not teach controlling at least one of changing a channel, volume adjustment and picture adjustment of the display apparatus in response to computer commands.

York teaches changing a channel of the display apparatus in response to computer commands at column 1 lines 34-48, column 6 lines 30-33, and column 8 lines 40-44, controlling volume adjustment at column 8 line 43, muting is volume adjustment, and controlling picture adjustment at column 1 lines 34-35 since to fully control a television is to control picture adjustment such as brightness, contrast, color, ect.

It would have been obvious to one of ordinary skill in the art at the time of applicants invention to modify Song in order for Song's display to receive computer commands that control at least one of changing a channel, volume adjustment and picture adjustment of the display apparatus because this is a user friendly approach since the computer displays computer generated images on the television monitor it would be easier for the user to control the television from the computer rather than to leave the computer's input devices and retrieve the television's remote control or use the television's control buttons.

Regarding claims 5 and 17, claim 5 adds to claim 1 wherein the microprocessor receives at least one command from said host computer system, the command suitable for controlling a television function of the display apparatus from the host computer system, wherein the television function includes at least one of selecting a video source, brightness, contrast, vertical and horizontal sizing and positioning, on/off (rest/resume), refresh rate, resolution and color temperatures. Claim 17 adds the same limitations to claim 14.

Regarding claims 31 and 37, claims 31 and 37 are independent claims that include limitations similar to claims 5 and 17. Computer system claim 37 is similar to computer system claim 17 written in independent form. Method of operating a computer system claim 31 is the method version of claim 17 written in independent form. Song does not teach controlling at least one of selecting a video source, brightness, contrast, vertical and horizontal sizing and positioning, on/off (rest/resume), refresh rate, resolution and color temperatures of the display apparatus in response to computer commands. York teaches selecting a channel (video source) of the display apparatus in response to computer commands at column 1 lines 34-48, column 6 lines 30-33, and column 8 lines 40-44, and controlling picture adjustment at column 1 lines 34-35 since to fully control a television is to control television features such as brightness, contrast, vertical and horizontal size, on/off, and color, ect. It would have been obvious to one of ordinary skill in the art at the time of applicants invention to modify Song in order for Song's display to receive computer commands that control at least one of selecting a video source, brightness, contrast, vertical and horizontal sizing and positioning, on/off (rest/resume), and color temperatures of the display apparatus because this is a user friendly approach since the computer displays computer generated images on the television monitor it would be easier for the user to control the television from the computer rather than to leave the computer's input devices and retrieve the television's remote control or use the television's control buttons.

Regarding claim 6 and 18, claim 6 adds to claim 5 wherein the television function feature of the display apparatus is controlled from the host computer system while the display apparatus is in an interlaced mode of operation. Claim 18 adds the same limitations to claim 14. The

above combination of Song and York teaches these limitations since the interlace mode of operation is the TV mode of operation which York controls from the computer.

Regarding claim 7, claim 7 adds to claim 1 wherein the microprocessor is suitable for switching said display apparatus between said interlaced and noninterlaced modes of operation. Song teaches this at column 9 lines 47-54, and it is known that NTSC is interlaced and VGA is noninterlaced.

Regarding claims 32 and 38, claim 32 adds to claim 31 wherein said interlaced mode of operation supports NTSC input. Claim 38 adds the same limitations to claim 37. Song teaches NTSC input at column 8 line 63 and column 9 lines 24 and 53.

Regarding claim 33, claim 33 adds to claim 32 wherein said display apparatus is transitioned to said second mode of operation from said first mode of operation, a video signal from a video controller in said first mode is not displayed by said display apparatus. Song teaches this since when the display apparatus is transitioned from interlaced, TV, to noninterlaced, computer, the interlaced signal is not displayed by the display apparatus.

Regrarding claim 34, claim 34 adds to claim 32 wherein the mode change command is sent from the computer system via the communication channel. Song teaches this when the horizontal and vertical sync signals sent from the computer to the display apparatus command the display apparatus to transition from interlaced to noninterlaced mode of operation when the display apparatus is in the interlaced mode of operation when the computer initially sends the sync signals.

Regarding claim 19, claim 19 is similar in scope as to claim 33, thus the rejection for claim 33 hereinabove is applicable to claim 19.

Regarding claim 39, the combination of Song's, Iwaki's, and Lan's systems reads on claim 39.

Claims 12, 13, 29, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Song et al. (US 6,046,721) in view of Iwaki (US 6,567,097) and Lan et al (US 2003/0128970) and Ersoz et al. (US 5,287,189).

Regarding dependent claims 12 and 29, Song, Iwaki, or Lan did not expressly disclose overlay windows. Ersoz discloses a 4x3 video being overlaid on top of a 16x9 video (Figure 1(c)). It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Song's, Iwaki's and Lan's system to include overlay windows. One would be motivated to do so because this provides picture-in-picture options and the viewing of multiple desired data.

Regarding claims 13 and 30, Ersoz discloses PIP (Figure 1(f)), which reads on the claimed overlay window is enabled as at least one of a picture-in-picture (PIP) and a picture-on-picture (POP).

Claims 35, 36, 40, and, 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Song et al. (US 6,046,721) in view of Iwaki (US 6,567,097) and Lan et al. (US 2003/0128970) and York (US 5,850,340) and Ersoz et al. (US 5,287,189).

Regarding dependent claims 35 and 40, Song, Iwaki, Lan, or York did not expressly disclose overlay windows. Ersoz discloses a 4x3 video being overlaid on top of a 16x9 video (Figure 1(c)). It would have been obvious for one of ordinary skill in the art at the time of the

invention to modify Song's, Iwaki's, Lan's, and York's system to include overlay windows. One would be motivated to do so because this provides picture-in-picture options and the viewing of multiple desired data.

Regarding claims 36 and 41, Ersoz discloses PIP (Figure 1(f)), which reads on the claimed overlay window is enabled as at least one of a picture-in-picture (PIP) and a picture-onpicture (POP).

Claims 10, 11, 20 – 23, 26, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Song et al. (US 6,046,721) in view of Iwaki (US 6,567,097) and Lan et al. (US 5,287,189) and York (US 5,850,340) and McGraw (US 6,300,980).

Claim 20 adds to parent claim 14 wherein the video controller receives a signal from the display apparatus. Song does not describe having the video controller of the computer receive a signal from the monitor. Applicant describes the video controller as being capable of receiving two different types of signal from the display apparatus. The first indicates the current operational mode of the display to the host system after polling by the host system. The second is analog video sent to the video capture circuitry 226 of video controller 202. This claim broadly covers both signals, thus, a prior art reference showing one of the two is sufficient to reject the claim. McGraw teaches at column 16 lines 43-60 polling the monitor and having the monitor respond to the polling by sending a signal to the computer system. The portion of the computer that receives this signal is broadly a part of the video controller since this signal controls the video output by the video controller. Column 14 line 65 to column 15 line 7. Thus, it would have been obvious to one of ordinary skill in the art at the time of applicants invention

to modify Song to allow Song to receive a signal from the display apparatus so Song's system will know the capabilities of the display apparatus in order to ensure proper video signals are sent to the display apparatus.

Regarding claims 21 - 23, Iwaki discloses a composite video signal and s-video signal (column 7, lines 34 - 49), which reads on the claimed video signals is a composite signal and S-video signal.

Regarding claims 10, 11, 26, and 27, Song does not teach sending the commands which determine the mode the monitor operates, interlaced mode or noninterlaced mode, over serial or parallel busses. McGraw teach at column 2 line 3 a RS 232 serial bus and at lines 35-37 states other types of digital communication links may be used. Thus, it would have been obvious to one of ordinary skill in the art at the time of applicants invention to modify Song to allow Song to send a display mode command from the display apparatus on serial or parallel busses to the display apparatus so display mode commands, which are digital, need not be derived from the horizontal and vertical sync signals, which are analog, thus simplifying the transmission and reception of the display mode commands.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey J. Chow whose telephone number is (571)272-8078. The examiner can normally be reached on Monday - Friday 10:00AM - 5:00PM (EST).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ulka Chauhan can be reached on (571)-272-7782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JIC

ULKA CHAUHAN SUPERVISORY PATENT EXAMINER